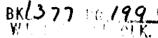


SEP 5 10 58 AH 'NI

Prepared by and return to: ARMSTRONG ALLEN, PLLC 6060 Poplar Avenue Suite 140 Memphis, TN 38119



PARTIAL RELEASE OF DEED OF TRUST TO: THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI

You are hereby authorized and requested to file and record this instrument evidencing the partial release of that certain Deed of Trust executed by NORTH CREEK, INC. to BANKCORP SOUTH, in the original amount of \$975,000.00 dated August 23, 1999, as recorded in Book 1155, Page 442, in the office of the Chancery Clerk of DeSoto County, Mississippi:

The property being released from said Deed of Trust is located and situated in Desoto County, Mississippi and is shown on Exhibit A attached hereto and by reference made a part hereof.

It is the intention of the undersigned to release from said deed of trust only the property described on Exhibit A hereto, and said deed of trust shall otherwise remain in full force and effect.

WITNESS the signature of the undersigned on this the 31 day of August , 2001.

BANKCORP SOUTH STATE OF MISSISSIPPI COUNTY OF <u>DESOTO</u>

PERSONALLY appeared before me, the undersigned authority in and for state and county aforesaid, on this the 31st day of August , 2001, the within named Michael P. Camp of BANKCORP SOUTH, who did acknowledge to me that he signed and delivered the above and foregoing Partial Release on the day and year therein mentioned as his free and voluntary act and deed, and for and on behalf of BANKCORP SOUTH, and that he was duly authorized and empowered so to do.

GIVEN under my hand and official seal of office on this the 31st day of August Rathy D. Davidson
Notary Public

Commission Expires! 04/09/2004

MARY\NORTHCREEK/LLC\NORTH.REL3

EXHIBIT A

PROPERTY IN DESOTO COUNTY, MISSISSIPPI:

Part of the N/E, S/E, S/W and N/W 1/4 of the N/E 1/4 of Section 20, township I South, Range 8 West, Desoto County, Mississippi:

AN 18.14 ACRE TRACT BEING PART OF TRACT 3, A 158.86 ACRE TRACT AS RECORDED IN BOOK 318 PAGE 68 OF CHANCERY CLERKS' OFFICE OF DESOTO COUNTY, MISSISSIPPI.

NORTH CREEK APARTMENTS 18.14 AC±

NORTH CREEK APARTMENTS 18.14 ACE

BEGINNING AT THE NORTHEAST CORMER OF SECTION 20 TOWNSHIP 1 SOUTH RANGE 8 WEST;
THENCE N 88'59'11' W A DISTANCE OF 2551.24' TO A POINT; THENCE S 01'00'49' W
A DISTANCE OF 1091.45' TO A POINT SAID POINT BEING THE TRUE POINT OF BEGINNING
FOR THS 18.14 ACRE TRACT; THENCE THE FOLLOWING COURSES:
S'107'09" E A DISTANCE OF 138.86' TO A POINT; THENCE S 64'23'46" E A
DISTANCE OF 91.75' TO A POINT; THENCE S 64'23'46" E A
DISTANCE OF 94.14' TO A POINT; THENCE S 47'28'46" E A DISTANCE OF 91.75 TO A POINT; THENCE S 47'28'46" E A
DISTANCE OF 94.14' TO A POINT; THENCE S 47'28'46" E A DISTANCE OF 136.86' TO A POINT; THENCE S 67'32'20" W A DISTANCE OF 43.72' TO A POINT; THENCE S 18'25'20" E A
DISTANCE OF 35.85' TO A POINT; THENCE S 78'37'00" E A DISTANCE OF 78.86' TO A
POINT; THENCE S 37'45'37' E A DISTANCE OF 63.26' TO A POINT; THENCE S
DISTANCE OF 35.85' TO A POINT; THENCE S 78'37'00" E A DISTANCE OF 78.86' TO A
POINT; THENCE S 37'45'37' E A DISTANCE OF 63.26' TO A POINT; THENCE S
DISTANCE OF 35.85' TO A POINT; THENCE S 78'37'00" E A DISTANCE OF 134.28' TO
A POINT; THENCE S 37'45'37' E A DISTANCE OF 63.26' TO A POINT; THENCE S
DISTANCE OF 52.54' TO A POINT; THENCE S 78'37'00" E A DISTANCE OF 134.28' TO
A POINT; THENCE S 37'42'38' E A DISTANCE OF 52.38' TO A POINT; THENCE S
DISTANCE OF 52.54' TO A POINT; THENCE S 88'46'S' E A DISTANCE OF 134.87'
TO A POINT; THENCE S 37'42'39' E A DISTANCE OF 12.78' TO A POINT; THENCE S
DISTANCE OF 52.54' TO A POINT; THENCE S 88'10'31' E A DISTANCE OF 13.50' TO A
POINT; THENCE S 37'32'9" E A DISTANCE OF 12.78' TO A POINT; THENCE S
DISTANCE OF 52.54' TO A POINT; THENCE S 88'13'50' E A
DISTANCE OF 52.54' TO A POINT; THENCE S 88'13'50' E A
DISTANCE OF 51.73' TO A POINT; THENCE S 88'13'50' E A
DISTANCE OF 51.73' TO A POINT; THENCE S 88'13'50' E A
DISTANCE OF 51.73' TO A POINT; THENCE S 173'30' TO A POINT; THENCE S
OF 51.73' THENCE S 27'32' E A DISTANCE OF 61.54' TO A
POINT; THENCE S 57'32' E A DISTANCE OF 61.54' TO A POINT; THENCE S
OF 51.64' TO A POINT; THENCE S 17